

1C997 U.S.PTO
01/26/01

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J1000 U.S.PTO
09/769420

01/26/01

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**REGISTERED PATENT AGENTS

January 26, 2001

WRITER'S DIRECT NUMBER:

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INTERNET ADDRESS:

bchalker@skgf.com

Commissioner for Patents
Washington, D.C. 20231

Box Patent Application

Re: U.S. Non-Provisional Utility Patent Application under 37 C.F.R. § 1.53(b)
Appl. No. (to be assigned); filed (herewith)
For: **Substituted Nicotinamides and Analogs as Activators of Caspases and Inducers of Apoptosis and the Use Thereof**
Inventors: Cai *et al.*
Our Ref: 1735.0440001/RWE/BEC

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Fee Transmittal (Form PTO/SB/17) (in duplicate);
2. Utility Patent Application Transmittal (Form PTO/SB/05);
3. U.S. Utility Patent Application entitled:

Substituted Nicotinamides and Analogs as Activators of Caspases and Inducers of Apoptosis and the Use Thereof

and naming as inventors:

Sui Xiong Cai
John A. Drewe

Commissioner for Patents
January 26, 2001
Page 2

the application consisting of:

- a. A specification containing:
 - i. 61 pages of description prior to the claims;
 - ii. 17 pages of claims (claims 1-73); and
 - iii. 1 page abstract;
- b. Five (5) sheets of drawings (Figures 1A-1B; 2; 3A-3B; 4A-4B and 5); and
- c. An original executed Declaration;
4. Authorization To Treat A Reply As Incorporating An Extension Of Time Under 37 C.F.R. § 1.136(a)(3) (in duplicate);
5. Recordation Form Cover Sheet;
6. An original executed Assignment to Cytovia, Inc., recordation of which is hereby respectfully requested;
7. An original executed Power of Attorney from Assignee;
8. A Certificate under 37 C.F.R. § 3.73(b) from Assignee with a copy of the Assignment attached;
9. Two (2) return postcards; and
10. Our check No. 30178 for \$1,527.00 to cover:

\$ 355.00	Basic filing fee (37 C.F.R. § 1.16(a));
160.00	Independent claims in excess of three (37 C.F.R. § 1.16(b));
837.00	Claims in excess of twenty (37 C.F.R. § 1.16(c));
135.00	Multiple dependent claim (37 C.F.R. § 1.16(d));
40.00	Assignment recordation fee (37 C.F.R. § 1.21(h)).

Commissioner for Patents
January 26, 2001
Page 3

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Bruce E. Chalker

Bruce E. Chalker
Agent for Applicants
Registration No. P-47,480

BEC/dab
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Enclosures

Please type a sign (+) inside this box → 

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office. U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR § 1.53(b))

Attorney Docket No	1735 0440001/RWE/BEC
First Inventor	Sui Xiong Cai et al
Title	Substituted Nicotinamides and Analogs as Activators of Caspases and Inducers of Apoptosis and the Use Thereof
Express Mail Label No	



APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231



1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 79]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (*if filed*)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 5]
5. Oath or Declaration [Total Pages 2]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR §§ 1.63(d)(2) and 1.33(b)
6. Application Data Sheet. See 37 CFR 1.76.

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on.
 - i. CD-ROM or CD-R (2 copies), or
 - ii. paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3 73(b) Statement Power of Attorney
(when there is an assignee)
11. English Translation Document (*if applicable*)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. Request and Certification u under 35 U S C 122 (b)(2)(B)(i) Applicant must attach form PTO/SB/35 or its equivalent
17. Other: Authorization under 37 C.F.R. § 1.136(a)(3)

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76

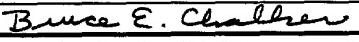
Continuation Divisional Continuation-in-Part (CIP)
Prior application information: Examiner _____ of prior application No: _____ / _____
Group/Art Unit _____

For CONTINUATION OR DIVISIONAL APPS only. The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label  or Correspondence address below

NAME	STERNE, KESSLER, GOLDSTEIN & FOX P L L C 26111 Attorneys at Law			
ADDRESS	PATENT TRADEMARK OFFICE Suite 600, 1100 New York Avenue, N W			
CITY	Washington	STATE	DC	ZIP CODE
COUNTRY	USA	TELEPHONE	(202) 371-2600	FAX (202) 371-2540

NAME (Print/Type)	Bruce E. Chalker	Registration No. (Attorney/Agent)	P-47,480
SIGNATURE			

Burden Hour Statement: this form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision

		Complete if Known	
Application Number		(to be assigned)	
Filing Date		(herewith)	
First Named Inventor		Sui Xiong Cai et al.	
Examiner Name		(to be assigned)	
Group Art Unit		(to be assigned)	
Attorney Docket No.		1735.0440001/RWE/BEC	

TOTAL AMOUNT OF PAYMENT	(\$1,527.00)		
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METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)			
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:		3. ADDITIONAL FEES Large Entity Small Entity			
Deposit Account Number <div style="border: 1px solid black; padding: 2px;">19-0036</div> Deposit Account Name <div style="border: 1px solid black; padding: 2px;">Sterne, Kessler, Goldstein & Fox P L L C</div>		Fee Code	Fee (\$)	Fee Code	Fee (\$)
<input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17 <input checked="" type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27		105	130	205	65 Surcharge - late filing fee or oath
		127	50	227	25 Surcharge - late provisional filing fee or cover sheet
		139	130	139	130 Non-English specification
		147	2,520	147	2,520 For filing a request for ex parte reexamination
		112	920*	112	920* Requesting publication of SIR prior to Examiner action
		113	1,840*	113	1,840* Requesting publication of SIR after Examiner action
		115	110	215	55 Extension for reply within first month
		116	390	216	195 Extension for reply within second month
		117	890	217	445 Extension for reply within third month
		118	1,390	218	695 Extension for reply within fourth month
		128	1,890	228	945 Extension for reply within fifth month
		119	310	219	155 Notice of Appeal
		120	310	220	155 Filing a brief in support of an appeal
		121	270	221	135 Request for oral hearing
		138	1,510	138	1,510 Petition to institute a public use proceeding
		140	110	240	55 Petition to revive - unavoidable
		141	1,240	241	620 Petition to revive - unintentional
		142	1,240	242	620 Utility issue fee (or reissue)
		143	440	243	220 Design issue fee
		144	600	244	300 Plant issue fee
		122	130	122	130 Petitions to the Commissioner
		123	130	123	130 Petitions related to provisional applications
		126	180	126	180 Submission of Information Disclosure Stmt
		581	40	481	40 Recording each patent assignment per property (times number of properties)
		146	710	246	355 Filing a submission after final rejection (37 CFR 1.129(a))
		149	710	249	355 For each additional invention to be examined (37 CFR 1.129(b))
		179	710	279	355 Request for Continued Examination (RCE)
		169	900	169	900 Request for expedited examination of a design application
		Other fee (specify) :			
		Other fee (specify) :			
		*Reduced by Basic Filing Fee Paid			
		SUBTOTAL (3) (\$ 40.00)			
** or number previously paid, if greater. For Reissues, see above					

SUBMITTED BY					
Name (Print/Type)	Bruce E Chalker		Registration No (Attorney/Agent)	P-47,480	Telephone
Signature	<i>Bruce E. Chalker</i>			Date	01/26/2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Cai *et al.*

Appl. No. (To be assigned)

Filed: (herewith)

For: **Substituted Nicotinamides and
Analogues as Activators of Caspases
and Inducers of Apoptosis and the
Use Thereof**

Art Unit: (To be assigned)

Examiner: (To be assigned)

Atty. Docket: 1735.0440001/RWE/BEC

J1000 U.S. PTO
09/769420
01/26/01



**Authorization To Treat A Reply As Incorporating An Extension Of Time
Under 37 C.F.R. § 1.136(a)(3)**

Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

Sir:

The U.S. Patent and Trademark Office is hereby authorized to treat any concurrent or future reply that requires a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. The U.S. Patent and Trademark Office is hereby authorized to charge all required extension of time fees to our Deposit Account No. 19-0036, if such fees are not otherwise provided for in such reply. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Bruce E. Chalker

Bruce E. Chalker
Agent for Applicants
Registration No. P-47,480

Date: January 26, 2001

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